

Get the Lead Out

Volume 2, Issue 1

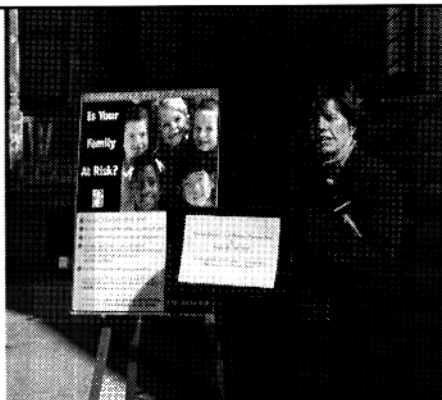
Spring 2000

Campaign Announced to Combat Childhood Lead Poisoning DCA, Towns Getting the Word Out about Getting the Lead Out

(October 27, 1999 - Press Release)
The New Jersey Department of Community Affairs (DCA) today announced a campaign to combat a major source of childhood lead poisoning.

At an event in Elizabeth, DCA Commissioner Jane M. Kenny said the state will be asking mayors to include an insert in one of their regularly-scheduled mailings to residents warning of the potential dangers of lead-based paint chips and dust in the home.

The inserts will help families determine their risk factors and seek



Commissioner Jane M. Kenny
announcing awareness campaign in
Elizabeth City, October 1999.



assistance, if needed, said Commissioner Kenny, who was joined at the event by Elizabeth Mayor J. Christian Bollwage.

(Continued on page 5)

REVISED CHAPTER XIII TAKES EFFECT

Revisions to Chapter XIII of the New Jersey State Sanitary Code – Childhood Lead Poisoning (N.J.A.C. 8:51) have been completed and took effect June 7, 1999. The new rules differ significantly from the preceding regulation and change the manner in which lead investigations must be conducted. The key changes are:

There is no longer a distinction made between children with elevated blood lead levels under 40 µg/dL and those with levels of 40 µg/dL or higher. The "visual inspection", formerly allowed for children with levels under 40 µg/dL, is no longer permitted.

A hazard assessment, which includes taking dust-wipe samples, is

required in housing occupied by children up to the age of 72 months. A limited hazard assessment may be required for children over 72 months.

A hazard assessment questionnaire, found in the appendix to the regulation, must be administered to the parent or guardian.

In addition to the child's primary address, hazard assessments may be required at other addresses, such as previous addresses, babysitters, and daycare centers, for example. The hazard assessment must include six dust wipe samples. Two soil samples may be required, when indicated.

XRF testing must conform to the EPA/HUD Performance Characteristic Sheets for the specific XRF instrument being used. Copies of these documents can be obtained

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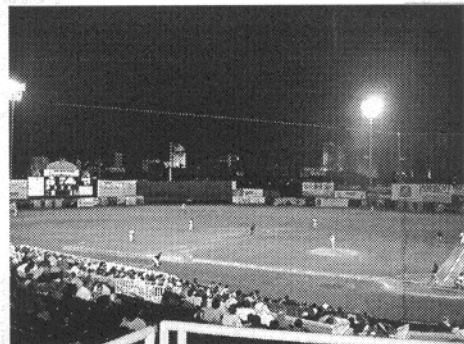
STATE-LEVEL TASK FORCE PRESENTS BLUEPRINT TO PROVIDE LEAD-SAFE HOUSING

At the January 6 meeting of the Interagency Task Force on Prevention of Lead Poisoning, William M. Connolly, AIA, presented a "Blueprint for Providing Lead-Safe Housing". Mr. Connolly serves as both Director of the Division of Codes and Standards in the New Jersey Department of Community Affairs, and as Chair of the Task Force. Based largely on recommendations of the Federal Lead-Based Paint Hazard Reduction and Financing Task Force (also known as the Title X Task Force), and on a State committee convened to study the issue, the "blueprint" emphasizes prevention as well as treatment. The committee included representatives of apartment owners and tenants, insurance companies, and state agencies and individuals

(Continued on page 2)



"PLAY BALL!"



...with the lead-safe team, that is! "LBPAP On The Road" brings its lead safety message to the Atlantic City Surf minor league baseball game. (see page 4)

DCA and NJN Partner Statewide Lead-Based Paint Awareness Campaign

The New Jersey Department of Community Affairs (DCA) and the New Jersey Network (NJN) have entered into an agreement to develop a series of Lead-Based Paint Abatement Program (LBPAP) Public Service Announcements (PSAs) to broaden its statewide lead-based paint education campaign. The DCA's broadcast initiative has completed its first in-

formational PSA and features Commissioner Jane M. Kenny of the DCA. The PSA presents an overview of lead-based paint and its effects in New Jersey and began airing September 20, 1999 and continued through the winter months. Regular airing of the PSA has increased calls to DCA's toll-free lead hotline (1-877-DCA-LEAD).

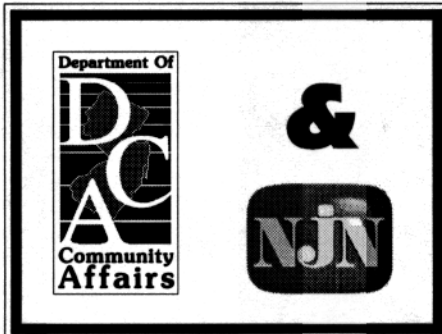
The partnership between DCA and NJN will allow the LBPAP to pursue numerous program objec-

tives by targeting services to parents, children, housing and development groups and municipalities. The PSAs will be aired during programming such as "NJN News," "On the Record," and "Reporters' Roundtable with Michael Aron" to reach business and government decision makers. Additionally, PSAs will air during "Nature" and "Nova" for parents; "Another View" and "Images/Imagenes" for minorities; and "Arthur" and "Barney and Friends" for preschoolers.

Feature articles in *New Jersey Medicine* and *NJEA Review* will afford DCA networking opportunities with health

and education organizations that impact affected individuals directly. Additionally, Department and LBPAP staff will participate in on-air discussions with knowledgeable professionals regarding lead-based paint and how it directly affects the residents of New Jersey.

ARTICLE CONTRIBUTED BY
Stephen Embley of the NJ Department of Community Affairs, Division of Housing and Community Resources.



correcting any conditions that caused the paint to deteriorate, and specialized cleaning where lead in dust exceeds the levels to be established by the Environmental Protection Agency in Section 403 of the Toxic Substances Control Act.

2. Implement special strategies for single- and two-family homes, which are not covered by state regulations. First, the State should incorporate essential maintenance requirements into the State Housing Code. This is a model code that many municipalities have adopted by reference. Many municipalities have also adopted property maintenance requirements that are generally enforced at time of property sale or re-rental, through inspection and issuing a certificate of occupancy. The State should, through legislation, make essential maintenance practices a part of any such certificate of occupancy process.

3. Incorporate Essential Maintenance Practices into regulations governing all emergency shelters whose occupants include children, as well as into the Division of Youth and Family Services' "Manual of Requirements for Child Care Centers", to insure that all such places comply with the same standards of care imposed on housing.

4. Extend existing prohibitions against lead-based paint abatement methods (such as open-flame burning and unconfined dry sanding) to all rehabilitation projects when the work disturbs surfaces that may contain lead-based paint, by inserting appropriate language in the State's award-winning rehabilitation subcode.

5. Establish criteria for certification that a dwelling unit or building is lead-free, or has undergone lead hazard controls (i.e., preventive maintenance practices are in place). Language should be inserted in the State's "Lead Hazard Evaluation and Abatement Code" (NJAC 5:17), or the "Regulations for Maintenance of Hotels and Multiple Dwellings", NJAC 5:10, to include criteria for lead screening and a protocol for developing a lead haz-

"BLUEPRINT". cont.

(Continued from page 1)

with expertise in lead poisoning prevention. The recommendations of the plan are not those of the committee, but they were developed with the benefit of the committee's discussion of the topic. Here are the highlights:

1. Adopt special maintenance requirements as part of New Jersey's existing code enforcement system for multifamily dwellings (structures with three or more units). Preventive maintenance is the first crucial step in providing lead-safe housing. The maintenance strategy would have a two-tiered system requiring essen-

tial maintenance practices in housing built before 1978 and additional measures in housing built before 1950. This age-based split reflects the likelihood that pre-1950 housing has significantly more lead-based paint than post-1950 housing. Enforcement would include reviewing building maintenance records; inspecting for deteriorated paint; dust-wipe testing where excessive deteriorated paint has been found; ordering removal of deteriorated paint,



Visit HUD's Office of Lead Hazard Control on the World-Wide Web:
<http://www.hud.gov/lea/leahome.html>

Irvington Twp. And DCA A Successful Lead Partnership

The New Jersey Department of Community Affairs Lead-Based Paint Abatement Program (LBPAP) has been successfully partnering with Irvington Township since 1995 to help create an inventory of lead safe housing. According to the Childhood Lead Poisoning In New Jersey Annual Report for fiscal year 1998, Irvington Township had the third highest number of lead poisonings in the State. Situated in Essex County, Irvington borders other New Jersey leaders in lead poisonings such as the City of Newark ranked first and the City of East Orange which is ranked fourth in the state. Nearly one-half of New Jersey's known elevated blood lead level children reside in Essex County.

Lead experts have tied aging housing with incidences of childhood lead poisoning. The probability that lead-based paint is present in a dwelling increases dramatically in housing constructed prior to 1950. In Essex County over 52% of its housing stock fits into the pre-1950 construction period.

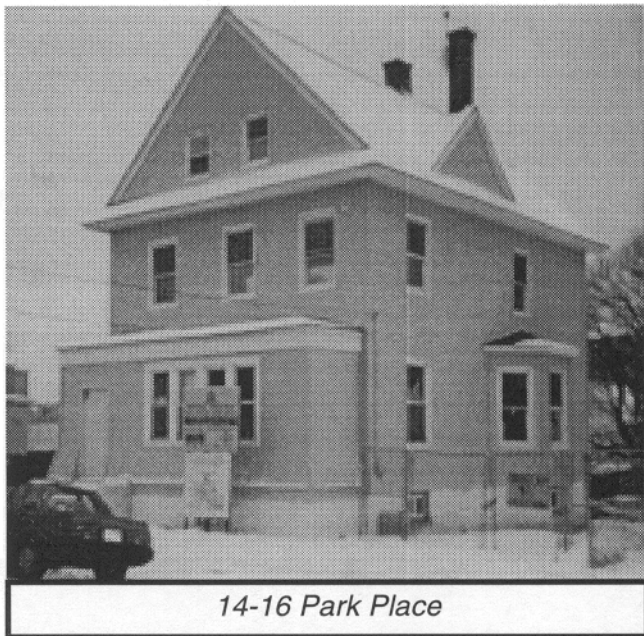
With 170 children reported with an elevated blood lead level in fiscal year 1998 alone, Irvington Township certainly has its work cut out for it.

Antoinette Bennett, Acting Director of the Office of Community Development and Planning was asked to relate her experiences with the LBPAP.

Ms. Bennett explained that Irvington applied for LBPAP funding to address the high incidence of elevated blood levels among the City's children. "The improved health status of our children is the primary reason why we must seek to abate lead in our housing stock," said Ms. Bennett. The Township also applied for LBPAP funds to leverage its HUD funds allocated for rehabilitation in the homes of eligible Township residents.

Ms. Bennett indicated that the Township's primary goal is to increase the supply of lead safe homes for low and moderate income families who can not bear the financial strain of abating lead in

their homes without creating additional financial hardships. The Township also seeks to encourage owner/investors that supply rental housing to improve the condition



14-16 Park Place

of their property by sharing in the expense of lead abatement and rehabilitation. The goal remains the same, to improve the physical living environment in which citizens live and have a positive impact on the health and general welfare of our residents.

When asked what the major hurdles the Township had to overcome in administering the program, Ms. Bennett replied "the program requires extensive paper work and has at times been difficult to administer with our available staff."

The Township plans to concentrate its future efforts on lead abatement in multi-unit, substantial and

moderate rehabilitation projects since these are properties rented by lower and moderate income families and thereby increasing year-by-year the number of lead safe housing units for Irvington families. Instead of being the third highest elevated blood level community in the State of New Jersey, Irvington seeks to eradicate elevated blood levels among their children.

Ms. Bennett stated that she was very pleased with Irvington's partnership with the DCA. "Everyone that we have come in contact with through the LBPAP has been most cooperative and supportive in helping us fulfill our lead abatement rehabilitation projects. This includes the lead evaluation service and abatement contractors that Irvington has interacted with. I think we make a good team and the end result is worth all the hard work."

ARTICLE CONTRIBUTED BY Antoinette Bennett, Irvington Township, and staff of the Lead-Based Paint Abatement Program, New Jersey Department of Community Affairs, Division of Housing and Community Resources.

Chapter XIII, cont.

(Continued from page 1)

from the Division of Family Health Services within the New Jersey Department of Health and Senior Services by calling (609) 292-5666. They may also be downloaded from <http://www.hud.gov/lea/leadwnlo.html> (Lead-Based Paint Technical Studies and Reports). Please be sure to specify what model(s) XRF will be used.

Anyone who performs a hazard assessment/limited hazard assessment must be trained and permitted as a lead inspector/risk assessor under N.J.A.C. 8:62. All abatement work must conform to N.J.A.C. 5:17.

For more information about the new Chapter XIII, call your local health department or the New Jersey Department of Health and Senior Services at (609) 292-5666.

ARTICLE EXCERPTED FROM a notice distributed by NJ Department of Health and Senior Services on the new Chapter XIII.

"LBPAP On The Road"

"On The Road" continues to expand its outreach efforts throughout the State by attending a number of local activities and events.



Long Branch, July

In July, the LBPAP participated in the City of Long Branch's second annual Multi-National Street Festival. The LBPAP staff answered various lead-based paint and health related questions and distributed program brochures and other handouts to interested visitors and residents.

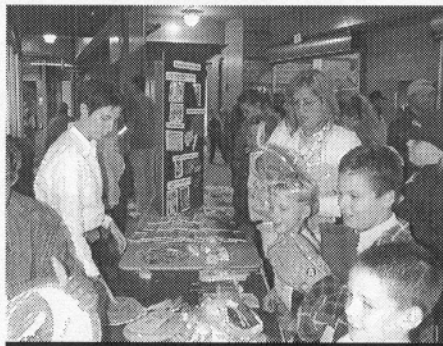
August and September saw the LBPAP expand its education efforts by attending the Borough of Highlands and the City of Jersey City Farmers' Markets, where the spotlight was on the role of good nutrition in lead poisoning prevention.

The LBPAP scored a game-winning hit in September with its appearance in Atlantic City at the minor league Surf's baseball game with the Newark Bears. In addition to the program's written materials, frisbees, sunglasses, water safes and visors were distributed to youngsters attending the game. The LBPAP



Atlantic City Surf, September

staff fielded numerous questions from the attendees and stadium staff. The Surf's staff were ex-



Atlantic City Surf, September

tremely cooperative, in particular Andy Lee of the promotional office ensured that it was a highly successful evening for the DCA and the LBPAP.

In October the Lead-Based Paint Abatement Program visited the Atlantic City Convention Center, the



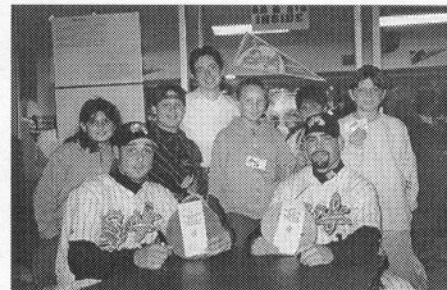
Lead Poisoning Prevention Week, Elizabeth, October

site for this year's Governor's Housing Conference. The conference was hosted by the DCA, New Jersey Redevelopment Authority (NJRA) and the Housing and Mortgage Financing Agency (HMFA).



Jersey City, September

The LBPAP not only operated an informational booth both days of the conference, it also presented an in-depth workshop on lead safe prac-

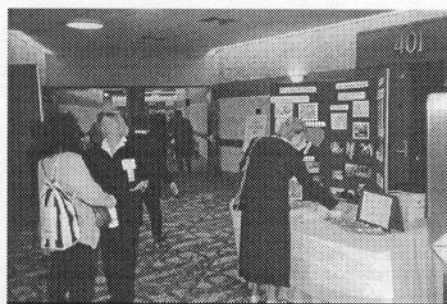


Atlantic City Surf, September

tices. The workshop featured a Power Point presentation by David Kersnowski, president Of ADS, Inc. on what to look for and do when undertaking painting and home improvement that may involve lead paint. Due the positive reaction to the presentation the LBPAP will be taking it on the road at future events.

Upcoming LBPAP events include lead safe painting demonstrations at selected HOME Depot stores (TBA) and a healthy child demonstration with Kidsbridge of Trenton and local health facilities (TBA).

If there is a community event coming up in your in town and you would like "LBPAP On The Road" there, please call Stephen Embley the LBPAP office at 1-877-DCA-LEAD.



Housing Conference, October

ARTICLE CONTRIBUTED BY Stephen Embley of the NJ Department of Community Affairs, Division of Housing and Community Resources.

Ask

"Dr. Lead-Head"

Q: "I've heard about potential problems with lead in imported ceramic pottery and dishes. Is there a way for me to test it?"

A: The problem arises when ceramics have not been glazed properly. Lead may leach into the food or drink. Laboratories can perform a "leach test" on the ceramics to determine if there is a problem with the glazing. You should use a lab that has been accredited under the EPA National Lead Laboratory Accreditation Program. There are four such accredited labs in New Jersey. To get a list of accredited labs, call the New Jersey Department of Health and Senior Services at



609-292-5666, the New Jersey Department of Environmental Protection, or visit the 'Lead Listing' web site at <http://www.leadlisting.org/>.

Q: "How accurate are those lead-based paint home test kits that I see in hardware stores?"

A: Neither the US Department of Housing and Urban Development, nor the US Environmental Protection Agency recommends them. They have not been determined reliable enough by either agency.

The only acceptable means of paint testing X-Ray Fluorescence instrument, a certified paint chip



Q: is the cutoff date for lead-based paint in housing, how do I tell if my home was built before 1978?"

are with an resonance operated by individual, or test. "Since 1978

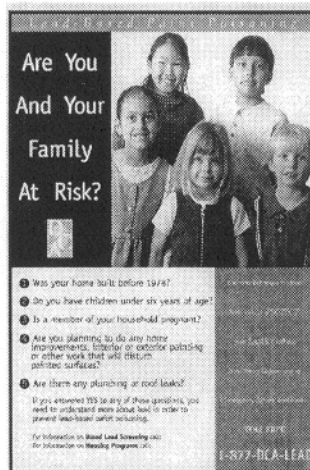
"Campaign", cont.

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The announcement was made in conjunction with National Childhood Lead Poisoning Prevention Week. "This program will help us get the word out about the potential dangers of lead-based-paint," said Commissioner Kenny. "Lead has come to be recognized as a major health threat to children. And despite our prevention and education efforts, children in New Jersey continue to be poisoned by peeling lead-based paint, lead-contaminated dust and other sources in their homes."

The inserts ask property owners to consider some key questions (see "Is Your Family at Risk?" poster, right). Most important on the list of considerations is whether

their home was built before 1978 -- the year lead-based paint was banned for residential use. If so, the insert lists certain risk factors, including leaky plumbing or roofs, home improvements that will disturb painted surfaces, children under six, or a household member who is pregnant. Questions or concerns can be di-



A: The easiest way is to check with your local building department to see when the building permit was issued. New Jersey has had a 'Uniform Construction Code' in effect since 1977, so construction records should be in pretty good shape for researching things like the age of the building. If the construction permit for your home was issued after December 31, 1977, then it's covered by the ban on lead-based paint.

While Dr. Lead-Head stretches out and waits for cleaning and painting, the staff is filling in to field those lead questions. Dr. Leadhead reminds us that a clean and well-maintained home helps prevent lead poisoning. Got a question? Call the DCA hotline at 1-877-DCA-LEAD, or send it to "Dr. Lead-Head", Lead-Based Paint Abatement Program, NJ Dept. of Community Affairs, Division of Housing and Community Resources, P.O. Box 806, Trenton, N.J. 08625-0806.

rected to DCA's Lead-Based Paint Abatement Program at 1-877-DCA-LEAD. Information and a brochure on lead poisoning prevention are available on the DCA's web site,

"Is Your Family At Risk?" Poster (left, developed by Ralph Finaldi) available from the DCA web site. Local programs go on line, add telephone numbers to the poster, and print it out for display.

<http://www.state.nj.us/dca/dhcr/dhcrhome.htm>.

"This is another example of government working in partnership to help people," said Commissioner Kenny. "We love our older homes in New Jersey," the Commissioner said. "They have a charm and outward beauty often not found in more

(Continued on page 7)

America Needs Lead Screening, Now!

By Robert G. Torricelli,
United States Senator

The following is an open letter from Senator Robert G. Torricelli of New Jersey regarding lead-based paint and its effect on children and proposed initiatives to deal with the emerging health crisis.

Recent news reports of lead paint lawsuits highlight a contributing tragic reality in America - that is still the number one environmental health hazard to our children. Despite the efforts of the last 20 years to remove lead from paint, gasoline, and dietary sources, an estimated 890,000 children suffer from elevated lead levels in their blood. The lead paint in 80 percent of homes built before 1978 has continued to make children ill. It attacks their nervous systems and impairs their physical, mental, and behavioral development. Extreme lead exposure can cause seizures, brain damage, comas, and even death.

In 1992, Congress made a commitment to children in this country suffering from lead poisoning. It mandated that states test every Medicaid recipient under age two for lead poisoning. Such screening would go a long way towards limiting the dangers of lead to kids most at risk. Seventy-five percent of the highest risk children are enrolled in federal health care programs. Because these kids are five times more likely than other children to suffer high lead levels in their blood, it is only logical that we target those children for testing. Mandatory screening would enable children at highest risk and highest need to be tested and treated before lead poisoning permanently impairs their development.

But that mandatory screening is not happening. According to the General Accounting Office, two-thirds of children on Medicaid have never been screened for lead. In New Jersey, only 39% of children covered by Medicaid have been tested. In all, more than 400,000

children across the country with high blood lead levels have been identified or treated.

These children need our help. We have not been able to remove lead from every home in this country. But at the very least we can begin to honor our commitment to the children who are poisoned by it.

First, we must meet our current obligations for lead screening. State Medicaid contracts should explicitly require that health care providers like HMOs adhere to federal rules for screening and treatment. To ensure that our goals are met, we should require that states report to Congress the number of children on Medicaid who are being screened.

Second, every federal program which serves kids at risk must be involved in testing them for lead poisoning. The Special Supplemental Nutrition Program for Women, Infant, and Children (WIC) and Head Start centers must assess whether a child has been tested and provide the necessary referral and follow-up to ensure that those who have not been tested are tested.

Third, we must ensure that states and federal agencies have the necessary sources to carry out these responsibilities. We must reimburse WIC and Head Start for screening costs and create a bonus program that rewards states who screen more than 65% of their Medicaid population.

But additional testing is only the first step. We must expand Medicaid coverage to include treatment for those suffering from the effects of lead poisoning and must support environmental investigations to determine its sources. We also must improve information on lead poisoning so we can identify problems more easily and educate health care providers about the full extent of the danger from lead.

These simple changes in our approach to lead poisoning will dramatically decrease the risks many low-income children face. These children and their families often lack the means to combat the sources of lead poisoning, which often comes from their very own homes. The real

tragedy, however, is that lead poisoning is preventable and treatable. Congress should enact these measures and fulfill its duty to protect children by ensuring that they are screened and treated.

EPA IMPLEMENTS LEAD-BASED PAINT PRE-RENOVATION EDUCATION RULE

An EPA regulation, the Pre-Renovation Lead Information Rule (PLIR), which requires renovators working for compensation to distribute a pamphlet entitled Protect Your Family From Lead In Your Home to owners and occupants of most pre-1978 housing went into effect on June 1, 1999. Renovation activities including most repair and remodeling activities that disturb more than two square feet of paint per component in pre-1978 housing are covered by the rule. Sanding, scraping and other surface preparation activities that disrupt paint and generate dust are the two key sources of lead exposure during renovation.

Minor housing repairs and maintenance activities, emergency renovation operations and renovation activities that take place in housing that has already been determined by a certified lead inspector to be lead free are excluded from the rule. Work that is performed for free (i.e. no exchange of money, goods or services) or work performed by Do-It-Yourselfers in their own homes is not covered by PLIR.

The pre-renovation rule also requires that before renovating common areas in multi-family buildings (more than four separate dwelling units) all building residents must be informed about the nature and extent of the renovations and the pamphlet must be available in a central location.

The EPA pamphlet and rule are available electronically at <http://www.epa.gov/lead> or at the National Lead Information Center at 1-800-424-LEAD. For more information, contact EPA Region 2 at (732) 321-6671.

"BLUEPRINT". cont.

(Continued from page 2)

ard control plan.

6. Amend the Landlord Identity Disclosure Act so that no tenant could be evicted for any reason unless the landlord is in compliance with preventive maintenance standards.

7. Establish and maintain a statewide registry of lead-safe housing. The Registry would have three classes, lead-free, lead-abated, and lead hazard controlled. Lead-free would include all post-1977 housing and pre-1978 housing that has been determined to be free of lead-based paint. Lead hazard controlled would include housing in which preventive maintenance practices have been implemented. The Registry would be available to assist families looking for lead-safe housing.

8. Implement lead-safe renovation practices. Many children suffer elevated blood-lead levels as a result of renovation work undertaken in the home without regard to whether or not the work will disturb lead-based paint, thereby creating a hazard. Simple steps such as wet-sanding and proper clean-up of the work area will protect building occupants. Lead-safe work practices, to be proposed next year, should be adopted as part of New Jersey's innovative Rehabilitation Subcode, applicable to all remodeling work done in the State.

9. Establish a means of injury compensation. While prevention is the Blueprint's goal, children injured by lead exposure should be compensated for health care, family relocation if necessary, and for any permanent damages that resulted from exposure to lead hazards. The State Department of Banking and Insurance should amend its rules to require insurance companies to offer a basic liability policy to property

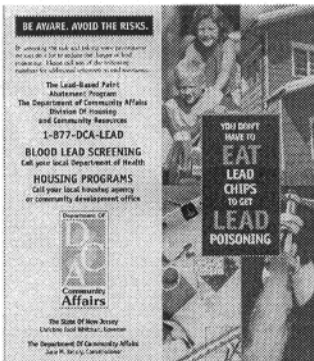
"Campaign", cont.

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modern construction. But on the inside, these structures may pose a poisonous risk from lead-based paint."

DCA administers the Lead-based Paint Abatement Program with funds from the U.S. Department of Housing and Urban Development.

The funds are designed to create affordable housing units that are free from code violations and safe from lead-based paint. The DCA program also provides education to



Lead poisoning prevention brochure
Printable from DCA web site

property owners, tenants and homeowners on how to maintain lead-safe housing.

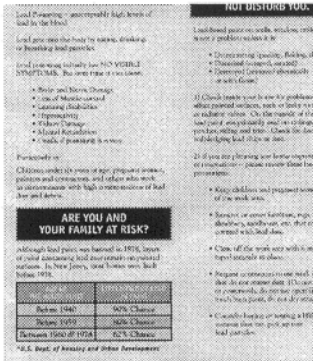
Commissioner Kenny said the lead abatement program is particularly important in a state like New Jersey, which has some of the old-

est housing stock in the country

ARTICLE CONTRIBUTED BY

Stephen Embley

of the NJ Department of Community Affairs, Division of Housing and Community Resources, Lead-Based Paint Abatement Program.



ment of Community Affairs, Division of Housing and Community Resources, Lead-Based Paint Abatement Program.

owners that would cover the cost of medical treatment for children who lack other health insurance, as well as the cost of family relocation if it is ordered by the local health department. Relocation assistance would include limited rental assistance for a specified time to make up the difference in rent, if any, between the family's current residence and the new one. Legislation is needed to require that commercial general liability coverage be made available for lead hazards to pay for remedial education and damages where the owner has obtained independent certification of compliance with the preventive maintenance requirements. A fund of last resort, possibly The Catastrophic Illness in Children Relief Fund, should be identified to cover any uninsured medical or relocation expenses.

Mr. Connolly stated that the rule-

drafting process to implement the blueprint for multifamily dwelling inspections is almost complete; additional rulemaking and legislation would be pursued during the year.

ARTICLE CONTRIBUTED BY
Robert Haug of the NJ Department of Community Affairs, Division of Housing and Community Resources.

Attention

HUD's revised 24 CFR Part 35, which requires lead hazard control work in all federally-funded housing programs, takes full effect September 15, 2000. Be prepared—don't get taken by surprise!!

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"Get the Lead Out"

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The
Mailing
Address
Goes
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SPRING

Next Time...

Lead-Based Paint and poisoning prevention resources on the world-wide web...the NJDCA lead web page...impact of new federal regulations...revisions to NJDOHSS training regulations...local nonprofits "get on board"

Obtain a list of New Jersey certified abatement and evaluation contractors by calling (609) 984-7815, or download it from the World Wide Web at <http://www.state.nj.us/dca/codes/leadhom.htm>